

REMARKS

This application has been reviewed in light of the Office Action dated September 13, 2006. Claims 1, 4, 6-9, 15, 19-27, 30, 31, 34, 36-38, 43, and 47-49 are presented for examination. Claims 2, 3, 5, 10-14, 16-18, 28, 29, 32, 33, 35, 39-42, 44-46, and 50 have been canceled, without prejudice or disclaimer of subject matter, and will not be mentioned further. Claims 1, 15, 21, 30, 31, 43, and 49 are in independent form. Claims 1, 4, 7-9, 15, 19-21, 30, 31, 34, 36-38, 43, and 47-49 have been amended to define more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

Claims 1, 4, 6, 9, 15, 19-24, 27, 30, 31, 34, 38, 43, and 47-49 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,658,196 (*Sakai*); Claims 7, 25, and 36 have been rejected under 35 U.S.C. § 103(a) as being obvious from *Sakai* in view of U.S. Patent 5,559,562 (*Ferster*); and Claims 8, 26, and 37 have been rejected as being obvious from *Sakai* in view of U.S. Patent 5,974,220 (*Kajimoto*).

According to an aspect of at least one embodiment of the invention to which Claim 1 relates, an apparatus for processing information data, such as moving image data¹, by using playback description data is provided. The playback description data includes playback time information (e.g., 304 in FIG. 3) and restoration time information (e.g., 306 in FIG. 3). By virtue of these features of the present invention, the adding or removing of a special effect, for example, can be easily implemented, as shown in the flowcharts of FIGs. 2 and 6 of the filed application, for example.

^{1/} It is to be understood that the claim scope is not limited by the details of any examples or of any particular embodiments that may be referred to.

Claim 1 is directed to an apparatus for processing information data and playback description data indicating a playback procedure of the information data. The apparatus includes modified information data processing means and description data processing means. The modified information data processing means newly generates modified information data by using part of the information data. The description data processing means modifies the playback procedure such that the modified information data are played back instead of the part of the information data, and modifies the content of the playback description data according to the modified playback procedure. The playback description data comprises playback time information indicating a playback start time or a playback end time of the information data. The description data processing means changes the playback start time or the playback end time according to a playback time of the modified information data, and further generates restoration time information indicating an amount of change of the playback start time or the playback end time and adds the restoration information to the playback description data.

Sakai, as understood by Applicant, relates to an editing apparatus in which first (X1) and second (X2) video signals are merged to generate a combined video signal for a transition from the first video signal to the second video signal during a predetermined transition period T and a predetermined transition mode. See FIG. 4 of *Sakai*, for example.

Applicant submits that nothing has been found in *Sakai* that would disclose or suggest the processing of information data by using playback description data including playback time information indicating playback start or end times of the information data, much less restoration time information indicating the amount of change of the playback

start or end times, and still less the content of the playback description data being modified according to a modified playback procedure.

At most, *Sakai* discloses storing cuts X1 and X2, and management data about the cuts, for the transition periods and a transition mode associated with a special effect.

Accordingly, Claim 1 is seen to be clearly allowable over *Sakai*.

Independent Claims 15, 30, 31, and 43 recite features similar in many relevant respects to those discussed above with respect to Claim 1 and, therefore, are also believed to be patentable over *Sakai* for the reasons discussed above.

Claim 21 is directed to a recording apparatus including description data generating means, section information generating means, and recording means. The description data generating means generates playback description data indicating a playback procedure of a plurality of items of information data and modified information data which is obtained by performing a modification processing on the information data. The modified information data having a section in which the modification processing is not performed and a section on which the modification processing is performed. The section information generating means generates section information indicating the section of the modified information data where the modification processing has been performed, and the recording means records the playback description data and the section information on a recording medium.

Applicant submits that nothing has been found in *Sakai* that would show or suggest the generation of section information indicating the section of the modified information data where the modification processing is and is not performed.

At most, *Sakai* discloses recording the information of transition periods T, that is, cuts X1 and X2. In *Sakai*, the modification processing is performed for all cuts, X1 and X2, of the transition periods T. Accordingly, the apparatus of *Sakai* fails to disclose or suggest that cuts X1 and X2 include a section where the modification processing is not performed, as in the apparatus of Claim 21.

Accordingly, Claim 21 is seen to be clearly allowable over *Sakai*.

Independent Claim 49 recites features similar in many relevant respects to those discussed above with respect to Claim 21 and, therefore, is also believed to be patentable over *Sakai* for the reasons discussed above.

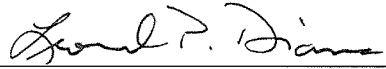
A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in cursive script, reading "Leonard P. Diana", written in black ink.

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